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P. Schofield
03/20/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: **John S. Daniel et al.**

Serial No.: **09/345,668**

Art Unit: 2662

Filed: **June 30, 1999**

Examiner: Levetan, Dmitry

For: **METHODS AND SYSTEMS FOR
PROVIDING AN EXTENSION SERVICE
TO WIRELESS UNITS AND
WIRELINE UNITS**

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Technology Center 2600

Assistant Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO OFFICE ACTION MAILED DECEMBER 12, 2002

Dear Sir:

The undersigned thanks the Patent Examiner for his review of the Amendment and Response filed regarding the first Office Action mailed July 23, 2002. Further, the undersigned thanks the Patent Examiner for withdrawal of the objections to the specification and of the rejection of Claims 1-6 under 35 U.S.C. 112, first paragraph.

The Office Action mailed December 12, 2002 continues the rejection of Claims 1-5, 7, and 9-12 under 35 U.S.C. 102(e) and the rejection of Claims 6 and 8 under 35 U.S.C. 103(a). The undersigned respectfully requests the Patent Examiner to withdraw these rejections based on the remarks below.

In the rejections, the Office Action erroneously overlooked elements of the claims. Further, the Office Action misinterpreted devices in the prior art and erroneously compared them to elements in the claims.

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this correspondence, along with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on this 12th day of March 2003, with sufficient postage as first-class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Nora M. Tocups

***Emery et al.* Does Not Teach Nor Suggest A Communications Network**

The Office Action failed to address an element in some of the claims referred to as a “communications network”. In particular, Claim 1 specifies that the claimed system operates in a communications network, which is a subset of the wireline network. The communications network is defined as an environment wherein “the wireline units and the wireless units operating in the communications network may call each other by using an appropriate wireline extension or an appropriate wireless extension.”

Emery et al. does not teach nor suggest a communications network as defined in the claims. *Emery et al.* describes a personal number communications (PNC) service that directs a subscriber’s calls to the current location of the subscriber. *Emery et al.* does not describe a communications network wherein the wireline units and wireless units operating in the communications network may call each other by using an appropriate wireline extension or an appropriate wireless extension.

The Office Action cites *Emery et al.*, col. 24, lines 55-64, for a “wireline network ... wherein wireline units may call each other by using an extension.” A careful reading of this citation results in the finding that the PNC service is available to a subscriber who participates in a Centrex group. A caller, who is a participant in the same Centrex group as the subscriber, may call the subscriber’s extension. The PNC service is provided to the subscriber’s extension so that the call may be routed to the subscriber’s current location.

The citation does not describe a communications network, as defined in the claims, where wireline units and wireless units operating in the communications network may call each other using an extension. The citation *only* refers to a subscriber being accorded PNC service when called through use of the subscriber’s Centrex extension. Thus, *Emery et al.* does not teach nor disclose a communications network as defined in the claims, and therefore, *Emery et al.* does not anticipate the subject matter of the claims.

***Emery et al.* Does Not Teach Nor Suggest A Table As Defined in the Claims**

The Office Action erroneously finds the table of the claimed subject matter in *Emery et al.*'s reference to the TCAP protocol. This reading of the claimed table onto the TCAP protocol is incorrect for several reasons. First, the TCAP protocol is not a table. As the citation from *Emery et al.* explains: "The TCAP protocol provides standardized formats for various query and response messages." Col. 13, lines 33-35. In other words, the TCAP protocol is a tool used for sending messages, and not a table with information that is accessible by other elements of the system.

In further support of its argument, the Office Action incorrectly argues:

Emery teaches that a subscriber would dial a limited number of digits and the network would determine the complete destination number. This action defines a table per IEEE dictionary of standards terms (IEEE, 7th, p. 1149) as an array of data (complete numbers), each item which may be unambiguously identified by means of one or more arguments (limited numbers).

The Office Action's general description of *Emery et al.*'s PNC service in the first sentence of the above quotation is correct. The finding, however, that *Emery et al.*'s reference to the TCAP protocol is a table does not follow from that general description. The TCAP protocol does not provide "an array of data (complete numbers), each item which may be unambiguously identified by means of one or more arguments (limited numbers)". The TCAP protocol is a transportation mechanism that includes queries and responses. Each query or response includes fields or parameters where data may be stored during transport. The location of data in a particular field defines the data as a particular type based on the TCAP protocol. Within a query or a response, there is no "item which may be unambiguously identified by means of one or more arguments (limited numbers)". Rather, the data in a query or response is identified by its location in a particular field of the TCAP protocol. *Emery et al.*, Col. 13, lines 31-44.

In fact, the Office Action itself recognizes that the TCAP protocol is not a table in paragraph 3, page 2: “Transaction Capabilities Application Part (TCAP) is a protocol utilizing numerous tables including the table with routing and destination numbers entries.” (Emphasis added). The use of a table by the TCAP protocol does not make the TCAP protocol a table, and thus, the claimed table does not read on the TCAP protocol.

Even if the TCAP protocol is accepted, for purposes of argument only, to be a table, the TCAP protocol does not teach nor suggest the table as defined in the claimed subject matter. The claimed table includes an entry for each of the respective units operating in the communications network. The TCAP protocol through a query and response exchange does not include information or data for each of the units operating in its network. The TCAP protocol *only* refers to the unit involved in the query and response exchange.

Further, as defined in the claims, the table includes two kinds of entries: (a) wireline entries for wireline units operating in the communications network; and (b) wireless entries for wireless units operating in the communications network. Each entry includes a number and its corresponding extension. The TCAP protocol does not include these elements of the table as set out in the claims.

In particular, the Office Action erroneously argues the claimed “wireline extensions” may be compared to a TCAP routing number. This is incorrect because a TCAP routing number is not an extension or any other abbreviation relating to the destination number. Rather, the TCAP routing number includes identifiers for the originating network element and the destination network element that are involved in the TCAP transaction. For example, if a TCAP query is sent from an end office to a service control point (SCP), then the TCAP routing number includes the end office’s point code as the originating point code and the SCP’s point code as the destination point code. Thus, *Emery et al.*’s reference to the TCAP protocol does not teach nor suggest the table of the claimed inventions.

Another reason that the TCAP protocol does not teach nor describe the table of the claimed inventions is that the TCAP protocol is not accessible to other elements of the claimed system. Specifically, Claim 1 defines the table as being accessible to the communications element and to the mobile switching center (MSC). The Office Actions fails to explain how *Emery et al.* teaches or suggests a table that may be accessed by the communications element and the MSC.

In sum, *Emery et al.* does not teach nor suggest a table as defined in the claims. The TCAP protocol referenced in *Emery et al.* is not a table. The TCAP protocol does not “use” tables, but rather, the TCAP protocol is a transportation mechanism for data and information. Even if the TCAP protocol is accepted as a table for purposes of argument only, the TCAP protocol does not teach nor suggest the elements of the table as set forth in the claims. Thus, *Emery et al.* fails to teach or suggest the claimed inventions.

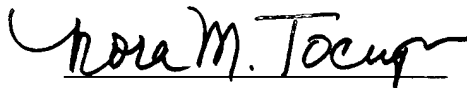
***Emery et al.* and *Shaffer* Do Not, Either Separately or in Combination, Describe, Teach or Suggest the Inventions of Claims 6 and 8**

The arguments set forth in the response to the previous Office Action regarding the lack of motivation to combine *Emery et al.* and *Shaffer* are reiterated herein.

CONCLUSION

In light of the foregoing, it is submitted the pending claims are allowable and a Notice of Allowance is respectfully requested. If there are any issues that can be resolved via telephone conference, the Examiner is invited to contact the undersigned at 404.372.1430.

Respectfully submitted,

A handwritten signature in black ink, reading "Nora M. Tocups", written over a horizontal line.

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